

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 3:22-cv-00021 Judge
v.)	
)	William L. Campbell, Jr.
THREE BUNDLES OF UNITED STATES)	
CURRENCY IN THE TOTAL AMOUNT)	
OF \$20,000 UNITED STATES)	
CURRENCY,)	
)	
Defendants.)	

ENTRY OF DEFAULT

Pending is Plaintiff's Application to Clerk for Entry of Default as to Azizi Fortenberry and All Other Persons and Entities who may have an interest in three bundles of United States currency in the total amount of \$20,000 United States Currency ("Defendant Property") pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. (Doc. No. 9). For the following reasons, the Clerk **GRANTS** Plaintiff's Application for Entry of Default.

Pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions ("Supplemental Rules"), the United States is required to give both general notice of this In Rem action to the public as well as direct notice to any known potential claimants. The United States may satisfy the public notice requirements of Fed. R. Civ. P. Supp. R. G(4)(a)(iv)(C) with publication "on an official internet government forfeiture site for at least 30 consecutive days." Direct notice "must be sent by means reasonably calculated to reach the potential claimant." Fed. R. Civ. P. Supp. G(4)(b)(iii)(A). Notice may be sent to either the claimant

or the attorney representing him or her with respect to the forfeiture or a related proceeding. Fed. R. Civ. P. Supp. G(4)(b)(iii)(B).

Plaintiff filed the Verified Complaint In Rem on January 13, 2022. (Doc. No. 1). According to the Declaration of paralegal Veronica Lane, publication of the Notice of Judicial Forfeiture Proceedings was made online at www.forfeiture.gov, the official internet government forfeiture site, for 30 consecutive days beginning on January 20, 2022 and ending on February 18, 2022. (Doc. No. 9-1 at Page ID# 62 and Doc. No. 9-5). More than sixty (60) days have passed since the first day of publication of the notice on the official government internet web site and no person or entity filed a claim or answer, or otherwise made an appearance in this action. Accordingly, the time for filing a claim pursuant to Rule G(5) of the Supplemental Rules has expired.

On January 21, 2022, the Verified Complaint In Rem, Declaration in support of the Complaint and exhibits, and the Notice of Judicial Forfeiture were served by regular and certified mail and via e-mail upon claimant Azizi Fortenberry at 2424 90th Ave, Apt. 8, Oakland, CA 94603. (Doc. No. 7-1 at Page ID #60). The certified mail receipt indicates delivery of the parcel to Fortenberry on January 31, 2022. (Doc. No. 9-3 at PageID # 80). Pursuant to the Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil procedure, Supplemental Rule G(5)(a)(ii)(A), persons provided direct notice must file a claim “by the time stated in a direct notice,” or February 25, 2022, which is at least 35 days after the notice is sent. Upon a review of the docket and Ms. Lane’s Declaration, Fortenberry has not filed an answer or otherwise entered an appearance in this action. (Doc. No. 9-1 at PageID # 62).

Ms. Lane further declares that, on March 24, 2022, using social security numbers provided by Fortenberry, Ms. Lane accessed the data base for the Department of Defense Manpower Data

Center and was provided a Military Status Report. (Doc. No. 9-1 at Page ID# 62). The Military Status Report indicates Fortenberry is not in the military service of the United States. (Doc. No. 9-6). Additionally, Ms. Lane confirms that Fortenberry is neither a minor nor an incapacitated person. (Doc. No. 9-1 at Page ID# 62).

For the reasons stated herein, Plaintiff's Application to Clerk for Entry of Default as to Azizi Fortenberry and all persons and entities who may have an interest in the Defendant Property (Doc. No. 9) is **GRANTED**.

s/ Lynda M. Hill

Lynda M. Hill
Clerk of Court